

REMARKS

Upon entry of the foregoing amendments claims 1, 4, and 6-15 are pending in the present application. Claims 2, 3 and 5 have been cancelled. Claims 1, 6, 10, and 12-15 have been amended. Basis for the amendments can be found throughout the specification and the claims. The amendments do not introduce any new subject matter within the meaning of 35 U.S.C. §132. Accordingly, entry of the amendments is respectfully requested.

CLAIM OBJECTION

The Examiner has objected to claim 6 due to the misspelling of the word "sulphuric" on line 4.

Claim 6 has been amended to correct the noted spelling error. Applicants thank the Examiner for noting this typographical error.

Accordingly, the amendment has removed the basis for the objection to claim 6.

Therefore, Applicants respectfully request the Examiner to withdraw this objection.

REJECTION OF CLAIMS UNDER 35 U.S.C. §101

The Examiner has rejected claims 13-15 under 35 U.S.C. §101 because the claimed subject matter is directed to nonstatutory subject matter.

Claims 13-15 have been amended to recite statutory subject matter, namely either a method or a coating composition.

Accordingly, the amendments have removed all bases for the rejection to claim 13-15 under 35 U.S.C. §101.

Therefore, Applicants respectfully request the Examiner to withdraw this rejection to claims 13-15.

REJECTION OF CLAIMS UNDER 35 U.S.C. §112, 2d PARAGRAPH

The Examiner has rejected claims 1-15 under 35 U.S.C. §112, second paragraph.

Claims 1, 10, and 12 have been amended to recite that the percentages are weight percentages based upon the description in the instant application.

Accordingly, the amendments have removed all bases for the rejection to claims 1-15 under 35 U.S.C. §112, second paragraph.

Therefore, Applicants respectfully request the Examiner to withdraw this rejection to claims 1-15.

REJECTIONS UNDER 35 U.S.C. §103(a)

Mabbs, et al., U.S. Patent No. 3,341,291

The Examiner has rejected claims 1-4 and 6-15 under 35 U.S.C. §103(a) as being unpatentable over Mabbs, et al., in U.S. Patent No. 3,341,291.

Applicants respectfully traverse this rejection. The Examiner has failed to establish a prima facie case of obviousness, because Mabbs, et al. teaches away from and fails to show each and every limitation of the presently claimed subject matter.

Instant claim 1 is directed to a method for preparing a photocatalyst containing titanium dioxide, characterised in that from an acid solution containing titanium oxy sulphate at a temperature under the boiling point of the solution is precipitated by addition of crystal nuclei a sulphurous titanium dioxide hydrate precipitate, said precipitate being separated and subsequently subjected to thermal treatment in order to obtain a crystalline product with a sulphur content of 1 to 5 w%; and wherein the precipitation is conducted without addition of base in a temperature range from 70 to 100°C and the precipitate separated from the solution is calcinated in air in the temperature range from 100 to 500°C.

In contrast, Mabbs, et al. is directed to a process for preparing a pigment and not a photocatalyst. Further, Mabbs, et al. provide no information about the possible sulphur content of the end product and require that the product is calcines at 800-1100°C.

Regarding the temperature taught by Mabbs, et al., it is essential to note that temperatures of 800-1100°C completely oxidize any existing sulphur, thereby producing a product, which is sulphur free. Thus, Mabbs, et al. to not render obvious the instant subject matter with regards to these two limitations: namely a final sulphur content of 1-5 w% and calcination between 100-500°C.

As such, there is no reason to consider that Mabbs, et al., provide any motivation to utilize its teachings or modify its teachings to arrive at the presently claimed

subject matter. Accordingly, Mabbs, et al. do not render the instant claims obvious. Thus, Applicants respectfully ask that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §103(a) to claims 1-4 and 6-15.

Japanese Patent No. 10-230169

The Examiner has rejected claims 1, 5, 10, 11 and 13-15 under 35 U.S.C. §103(a) as being unpatentable over Japanese Patent No. 10-230169.

Applicants respectfully traverse this rejection. The Examiner has failed to establish a prima facie case of obviousness, because Japanese Patent No. 10-230169 teaches away from and fails to show each and every limitation of the presently claimed subject matter.

Instant claim 1 is directed to a method for preparing a photocatalyst containing titanium dioxide, characterised in that from an acid solution containing titanium oxysulphate at a temperature under the boiling point of the solution is precipitated by addition of crystal nuclei a sulphurous titanium dioxide hydrate precipitate, said precipitate being separated and subsequently subjected to thermal treatment in order to obtain a crystalline product with a sulphur content of 1 to 5 w%; and wherein the precipitation is conducted without addition of base in a temperature range from 70 to 100°C and the precipitate separated from the solution is calcinated in air in the temperature range from 100 to 500°C.

In contrast, Japanese Patent No. 10-230169 is directed to a process in which the solution in the precipitation is conducted at 105°C. As with Mabbs, et al., Japanese Patent No. 10-230169 provide no information about the possible sulphur content of the end product.

As such, there is no reason to consider that Japanese Patent No. 10-230169, provide any guidance to conduct the precipitation without the neutralization and at the instantly claimed temperature.

Accordingly, Japanese Patent No. 10-230169 do not render the instant claims obvious.

Thus, Applicants respectfully ask that the Examiner reconsider and withdraw the rejection under 35 U.S.C. §103(a) to claims 1, 5, 10, 11 and 13-15.

CONCLUSION

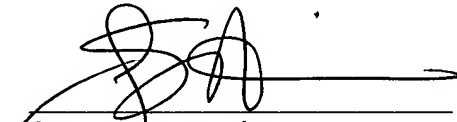
In view of the foregoing, Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejections in this application. Applicants also respectfully and earnestly solicit allowance of all claims pending in this application.

If the Examiner has any questions or wishes to discuss this matter, the Examiner is welcomed to telephone the undersigned attorney.

Respectfully submitted,

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